THE HON'BLE SRI JUSTICE C.Y.SOMAYAJULU

WRIT PETITION NO. 22551 OF 2005

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DATED: 19-10-2005.

Between:

Smt. Katragadda Krishnaveni …Petitioner

And

The District Collector,

Prakasam District at Ongole

and another …Respondents

THE HON'BLE SRI JUSTICE C.Y.SOMAYAJULU

WRIT PETITION NO. 22551 of 2005

ORDER:

This petition is filed questioning the order rejecting the nomination of the petitioner in an election to Chimakurthy Large Scale Co-operative Society passed by it's Election Officer (second respondent).

The contention of the learned Counsel for the petitioner is since second respondent, even without verifying the records, and merely basing on the influence brought on him, had illegally and unjustly rejected the nomination of the petitioner on the ground that her signature is forged, even without affording an opportunity of being heard to the petitioner, the same is liable to be set aside.

Since acceptance or rejection of a nomination is an intermediatory stage in the election process and since this court would not usually interfere in an election process by exercising its jurisdiction under Article 226 of the Constitution as the aggrieved party has an effective alternative remedy of an election petition before the

concerned Tribunal, as held by this court in ***A.P.SARPANCHAS ASSOCIATION AND OTHERS v. GOVERNMENT OF A.P., PANCHAYAT RAJ DEPARTMENT AND OTHER*** , ***GUTTAKONDA KANAKA DURGA v. STATE ELECTION COMMISSIONER, GOVERNMENT OF A.P., HYDERABAD AND OTHER*** and by the Apex Court in ***C. SUBRAHMANYAM v. K. RAMANJANEYULU AND OTHER,*** a n d ***SRI SANT SADGURU JANARDHAN SWAMY S D V SAMSTAN V. STATE OF MAHARASTRA*** petitioner cannot be granted any relief in this petition.

Hence the petition is dismissed without costs. However, petitioner is at liberty to question the rejection of her nomination before the concerned Tribunal.

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C.Y. SOMAYAJULU, J.

Dated: 19-10-2005.

RNS